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Letter dated 1 August 2000 from the Chargé d'affaires a.i. of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations addressed to the President of the Security Council

I have been instructed by my Government to lodge a strong protest at Regulation No. 2000/42 of the Special Representative of the Secretary-General of the United Nations in Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK) of 10 June 2000 on the establishment and functioning of foreign liaison offices in that Serbian province. The regulation is yet another instance of a series of gross violations of Security Council resolution 1244 (1999) of 10 June 1999 committed by the Special Representative and Head of UNMIK in wanton disregard for the sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the Republic of Serbia and in outright support of ethnic Albanian separatists and their drive to secede Kosovo and Metohija. It is also contrary to the sovereign right of the Federal Republic of Yugoslavia to make agreements with other sovereign countries on the establishment of diplomatic and/or consular offices and the appointment of diplomatic and/or consular representatives and amounts to a most flagrant violation of sovereignty and territorial integrity of an independent State.

No provision, explicit or implicit, of Security Council resolution 1244 (1999) authorizes the Special Representative and Head of UNMIK to communicate with foreign States through their liaison offices in Kosovo and Metohija, to define their status and to engage in similar activities. Diplomatic and/or consular representation falls exclusively in the competence of central authorities and no autonomy and/or self-government in the world is empowered to receive foreign diplomatic and/or consular representatives.

The regulation is incongruous with the practice of the peacekeeping operations of the United Nations. Never before has a United Nations peacekeeping mission determined conditions for diplomatic and/or consular representation of foreign States in territories in which a peacekeeping operation took place. Besides, the Security Council has never discussed the possibility of opening diplomatic and/or consular offices in Kosovo and Metohija, so that the regulation flouts the responsibility of the Security Council for the overall situation in that Serbian province.

Finally, in Article 12 of the 1961 Vienna Convention on Diplomatic Relations, it is expressly stated that "The sending State may not, without prior express consent

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of the receiving State, establish offices forming part of the missions in localities other than those in which the mission itself is established."

Considering that the regulation on the establishment and functioning of foreign liaison offices in Kosovo and Metohija has been taken outside of the mandates of the international civil presence and the Special Representative of the Secretary-General of the United Nations and Head of UNMIK provided for by Security Council resolution 1244 (1999), the Government of the Federal Republic of Yugoslavia calls on the Security Council to annul the illegal regulation, which is contrary to the letter and spirit of the resolution.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Vladislav **Jovanovic**
Chargé d'affaires a.i.